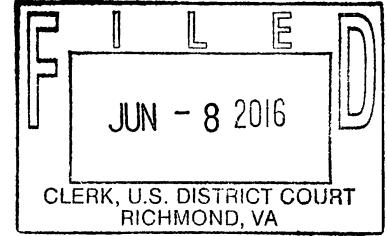


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



UNITED STATES OF AMERICA)
)
v.) Criminal Action No. 3:05CR500-HEH
)
LEROY N. INGRAM,)
)
Petitioner.)

MEMORANDUM OPINION
(Dismissing Successive 28 U.S.C. § 2255 Motion)

Leroy N. Ingram was convicted of possession with intent to distribute five grams or more of a mixture and substance containing detectable amounts of cocaine base and was sentenced to 360 months of imprisonment. (ECF No. 23.)

By Memorandum Opinion and Order entered on July 31, 2009, the Court denied a 28 U.S.C. § 2255 motion filed by Ingram. (ECF Nos. 51, 52.) On June 2, 2016, the Court received from Ingram a successive, unauthorized 28 U.S.C. § 2255 motion wherein he that argues he is entitled to relief under *Johnson v. United States*, 135 S. Ct. 2551 (2015). (ECF No. 73.)

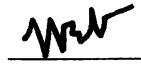
The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move

in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A).

The Court has not received authorization from the United States Court of Appeals for the Fourth Circuit to file Ingram’s June 2, 2016 § 2255 Motion. Accordingly, the § 2255 Motion (ECF No. 73) will be dismissed for want of jurisdiction. The Court will deny a certificate of appealability.

An appropriate Order will accompany this Memorandum Opinion.

Date: June 8, 2016
Richmond, Virginia

 /s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE